



**Fourth Court of Appeals**  
**San Antonio, Texas**

**MEMORANDUM OPINION**

No. 04-13-00228-CV

George **GARCIA**,  
Appellant

v.

Anna **GARCIA**,  
Appellee

From the 166th Judicial District Court, Bexar County, Texas  
Trial Court No. 2013-CI-02221  
Honorable Antonia Arteaga, Judge Presiding

PER CURIAM

Sitting: Marialyn Barnard, Justice  
Rebeca C. Martinez, Justice  
Patricia O. Alvarez, Justice

Delivered and Filed: June 26, 2013

DISMISSED FOR WANT OF PROSECUTION

On April 10, 2013, appellant George Garcia filed a notice of appeal from the trial court's judgment signed March 6, 2013. The record was due May 6, 2013, sixty days after the judgment was signed. *See* TEX. R. APP. P. 35.1. On May 14, 2013, the District Clerk of Bexar County filed a notification stating the clerk's record would not be filed because appellant had not paid or made arrangements to pay the clerk's fee to prepare the record and is not entitled to appeal without paying the fee. On May 15, 2013, we ordered appellant to provide written proof to this court on or before June 4, 2013, that either (1) the clerk's fee had been paid or arrangements had been made

to pay the clerk's fee; or (2) he is entitled to appeal without paying the clerk's fee. We cautioned appellant that if he failed to respond within the time provided, his appeal would be dismissed for want of prosecution. *See* TEX. R. APP. P. 37.3(b). Appellant has not filed a response.

We therefore **order** this appeal dismissed for want of prosecution. We further **order** that appellee, Anna Garcia, recover her costs in this appeal from appellant.

PER CURIAM